IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
C.A. No.813/07 in FA St. No.1653/2007
Vidarbha Irrigation development Corpn., Vs. Mahadeo Ganba Bondade and another.

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM : A.P. LAVANDE & R.V. MORE, JJ.
DATED : 08/08/2007

Affidavit filed on behalf of respondent no.2 is taken on record. The same discloses that the land in question was acquired by respondent no.2 and the entire liability to pay compensation has been taken over by the appellant – Vidarbha Irrigation Development Corporation. Since the acquisition for the benefit of the appellant, the appellant was necessary party in view of ratio laid down by the Apex Court in Abdul Rasak Vs. Kerala Water Authority and others (AIR 2002 SC 817). Admittedly, the appellant was not joined as party respondent in the Reference Court.

Considering the facts and circumstances,, delay of 11 months and 7 days in filing the appeal is condoned.

Application stands disposed of.

FA St No.1143/2007

At the request of Mr. Palshikar, learned counsel for the appellant, the appellant is granted four weeks time to pay appropriate Court fees.

JUDGE JUDGE

MLA.